

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

DIRECTV, INC.	)	
	)	
Plaintiff	)	
	)	
v.	)	Civil Action No. 04-962 GMS
	)	
DONALD HALL	)	
	)	
Defendant.	)	

**ORDER**

WHEREAS on December 16, 2004, the court ordered an entry of default against defendant Donald Hall (D.I. 9), pursuant to Fed. R. Civ. P. 55(a);

WHEREAS on February 25, 2005, the court held a default hearing to assess damages, which Hall failed to attend;

WHEREAS on March 7, 2005, at the request of the court, plaintiff DirecTV, Inc. ("DirecTV") submitted a damages letter, in which it proposes an award of \$20,000.00 in statutory damages and \$850.00 in attorneys' fees and costs (D.I. 15);

WHEREAS the complaint alleges that Hall purchased two Pirate Access Devices and, by using them, "intentionally intercepted, endeavored to intercept, or procured other persons to intercept or endeavor to intercept, DIRECTV's satellite transmission of television programming, in violation of 18 U.S.C. § 2511(1)(a)," (D.I. 15 ¶¶ 7, 20);

WHEREAS, due to Hall's failure to file a responsive pleading in this matter, averments in the complaint (except those as to the amount of damage) are admitted, Fed. R. Civ. P. 8(d);

WHEREAS Congress has authorized statutory damages for such interception or intentional use of satellite transmissions in the amount of \$10,000 for each violation of § 2511(1)(a), *see* 18 U.S.C. § 2520(c)(2) (2000);

WHEREAS Congress has also authorized the award of "a reasonable attorney's fee and other litigation costs reasonably incurred," § 2520(b)(3);

WHEREAS after considering the case law submitted by DirecTV (D.I. 15 Exs. A-E), and the affidavit of Timothy E. Lengkeek describing the nature and extent of attorneys' fees and costs incurred by DirecTV (*id.* Ex. F), the court will award damages to DirecTV in the amount of \$20,850.00; and

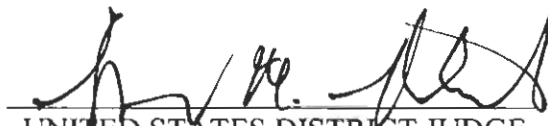
WHEREAS the damage award of \$20,850.00 reflects a statutorily-authorized award of

\$10,000.00 for each (2) Pirate Access Device used by Hall, as well as attorneys' fees and costs in excess of \$850.00 incurred by DirecTV.

IT IS HEREBY ORDERED THAT:

Pursuant to Fed. R. Civ. P. 55(b)(2), judgment by default in the amount of \$20,850.00 be ENTERED in this matter against defendant Donald Hall.

Dated: April 25, 2005

  
UNITED STATES DISTRICT JUDGE